

FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
MASIMO.56DC1C1APPLICATION NO.
10/791,683INFORMATION DISCLOSURE STATEMENT
BY APPLICANT

(USE SEVERAL SHEETS IF NECESSARY)

APPLICANT
Diab et al.FILING DATE
March 2, 2004GROUP
2621

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE (IF APPROPRIATE) |
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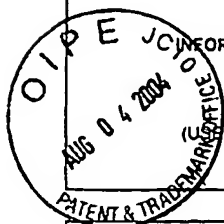
EXAMINER

/Eric Winakur/

DATE CONSIDERED

01/06/2008

*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.



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| EXAMINER /Eric Winakur/ | DATE CONSIDERED 01/06/2008 |
| *EXAMINER: INITIAL IF CITATION CONSIDERED. WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 809; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT. | |

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| /EW/ | 177 | United States Courts of Appeals for the Federal Circuit - Opinion, Case No. 01-1028, -1084, <i>Masimo v. Mallinckrodt, Inc. and Nellcor Puritan Bennett, Inc.</i> , Decided: 08/08/01 |

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| /EW/ | 178 | Findings of Fact and Conclusion of Law Regarding Masimo's Motion for Preliminary Injunction, <i>Masimo v. Mallinckrodt Inc., et al.</i> , U.S. District Court, Central District of California (Southern Division), Civil Action No. SA-CV-99-1245 AHS (Anx), filed November 2, 2000 (REDACTED) |
| | 179 | Nellcor's Third Amended Complaint for Patent Infringement date unknown |
| | 180 | Nellcor's and Mallinckrodt's Amended Complaint for Patent Infringement date unknown |
| | 181 | Nellcor's and Mallinckrodt's Amended and Supplemental Answer and Counterclaims to Masimo Corporation's First Amended Complaint in Case No. CV-01-7293-MRP (AJWx) date unknown |
| | 182 | Nellcor's and Mallinckrodt's First Amended and Supplemental Reply and Counterclaims to Counterclaims of Masimo Corporation date unknown |
| | 183 | Non-Confidential Reply Brief of Defendants-Cross Appellants Mallinckrodt Inc. and Nellcor Puritan Bennett, Inc. dated February 22, 2001 |
| | 184 | Nellcor's and Mallinckrodt's Reply Claim Construction Brief on the Patents-In-Suit dated October 18, 2002 |
| | 185 | Nellcor's and Mallinckrodt's Opening Claim Construction Brief on the Patents-In-Suit dated September 16, 2002 |
| | 186 | Non-Confidential Brief of Defendants-Cross Appellants Mallinckrodt Inc. and Nellcor Puritan Bennett, Inc. dated January 22, 2001 |
| | 187 | Non-Confidential Brief of Plaintiff-Appellant Masimo Corporation dated December 8, 2000 |
| | 188 | Non-Confidential Reply Brief of Plaintiff-Appellant Masimo Corporation dated February 6, 2001 |
| | 189 | Memorandum of Decision and Order Re: Claim Construction; Motion to Strike Masimo's Declarations dated February 27, 2003 |
| /EW/ | 190 | Copending U.S. Application No. 09/195,791, filed on November 17, 1998 (Atty. No. 7CP1C5), and pending claims. |

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| EXAMINER | /Eric Winakur/ | DATE CONSIDERED | 01/06/2008 |
| *EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT. | | | |